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FEDERAL HOME LOAN BANK OF SAN FRANCISCO,
ANITA ADAMS AND EMMANUEL UNGSON

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FREDDIE LAMBRIGHT, JR.,

Plaintiff,

vs.

FEDERAL HOME LOAN BANK OF
SAN FRANCISCO, ANITA ADAMS,
EMMANUEL UNGSON and DOES 1-50,

Defendants.

Case No. C 07 4340 CW

**[PROPOSED] ORDER GRANTING
DEFENDANTS' MOTION TO DISMISS
PLAINTIFF'S STATE LAW CLAIMS,
MOTION TO DISMISS INDIVIDUAL
DEFENDANTS AND PETITION TO
COMPEL ARBITRATION OF
REMAINING CLAIMS**

Date: November 15, 2007
Time: 2:00 p.m.
Dept.: 2
Judge: Hon. Claudia Wilken

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On November 15, 2007, Defendants the Federal Home Loan Bank of San Francisco ("FHLB-SF" or "the Bank"), Anita Adams ("Adams") and Emmanuel Ungson's ("Ungson") (collectively "Defendants") Motion to Dismiss Plaintiff Freddie Lambright's ("Plaintiff") Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth and Tenth Causes of Action, Motion to Dismiss all claims against the individual defendants and Petition to Compel arbitration of all of Plaintiff's claims which survive the Motion to Dismiss, came regularly for hearing before this Court. Defendants were represented by Cecily A. Waterman of Morgan, Lewis & Bockius LLP. Plaintiff was represented by Waukeen Q. McCoy of the Law Offices of Waukeen Q. McCoy. Having considered the pleadings submitted, the Court's records and the argument of counsel, and good cause appearing, the Court hereby orders as follows:

Defendants' Motion to Dismiss Plaintiff's Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth and Tenth Causes of Action is GRANTED. Plaintiff's state law claims are preempted by the Federal Home Loan Bank Act, 12 U.S.C. § 1421.

Defendants' Motion to Dismiss the individual defendants, Adams and Ungson, is GRANTED. Individuals cannot be held liable for discrimination under Plaintiff's remaining federal discrimination claims. 42 U.S.C § 2000e-3(a).

Defendants' Petition to Compel arbitration of Plaintiff's remaining claims is GRANTED. Plaintiff and Defendants were parties to a valid and binding arbitration agreement. *Circuit City Stores, Inc. v. Adams*, 532 U.S. 105, 122-23, 121 S.Ct. 1302, 1313 (2001); *Armendariz v. Foundation Health Psychcare Services, Inc.*, 24 Cal.4th 83, 91 (2000).
FOR GOOD CAUSE SHOWN, IT IS SO ORDERED.

Date: _____, 2007

Hon. Claudia Wilken